

REMARKS

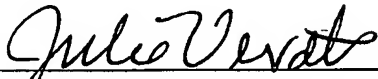
As an initial matter, Applicants wish to thank the Examiner for the telephonic interview of August 25, 2005 during which agreement was reached regarding the election requirement for oligonucleotides. It was agreed that Applicants must elect a first and a second polynucleotide among the SEQ ID NOs recited in claims 39 and 43. The Examiner also agreed that multiple oligonucleotides could be elected for the claims. In particular, she agreed that Applicants can elect two oligonucleotides for claim 40 (a first and second oligonucleotide), and four oligonucleotides for claim 44 (corresponding to a first oligonucleotide pair and a second oligonucleotide pair). With regard to claims 45 and 46, Applicants can list all six elected oligonucleotides. Accordingly, in response to the Restriction Requirement dated June 27, 2005, Applicants hereby elect Group III, claims 37-46, drawn to compositions, classified in class 536, subclass 23.1, for examination at this time. Additionally, Applicants hereby elect SEQ ID NOs: 7 and 75 as the first and second polynucleotides (related to claims 39 and 43). Applicants also elect SEQ ID NOs: 58 and 55 for the first and second oligonucleotides (see claim 40). Applicants further elect SEQ ID NOs: 56 and 57 as the first oligonucleotide pair and SEQ ID NOs: 53 and 54 as the second oligonucleotide pair (related to claims 41 and 44).

Concerning the species election requirement, Applicants respectfully submit that this does not apply to the elected group of claims. Please advise if this is incorrect.

In view of the above election, Applicants hereby cancel non-elected claims 1-36. Claims 39, 40, 43, 44, 45, and 46 have been amended solely to remove recitation of non-elected subject matter. No new matter has been added. Applicants reserve the right to prosecute any subject matter modified or removed by this amendment in a related continuation, continuation-in-part, or divisional application.

Consideration of the elected claims is now requested.

Respectfully submitted,
Seed Intellectual Property Law Group PLLC



Julie A. Urvater, Ph.D., Patent Agent
Registration No. 50,461

JAU:mcs
Enclosure:
Postcard

701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092
Phone: (206) 622-4900
Fax: (206) 682-6031

607660_1.DOC